

Neal (NC)	Sabo	Torkildsen
Obey	Sanders	Torres
Oliver	Sawyer	Torrice
Owens	Schenk	Towns
Pallone	Schiff	Traficant
Parker	Schroeder	Tucker
Pastor	Schumer	Unsoeld
Payne (NJ)	Scott	Upton
Payne (VA)	Serrano	Valentine
Pelosi	Shays	Velazquez
Peterson (FL)	Shepherd	Vento
Pickett	Sisisky	Visclosky
Pomeroy	Skaggs	Washington
Porter	Slattery	Waters
Price (NC)	Slaughter	Watt
Pryce (OH)	Smith (IA)	Waxman
Ramstad	Snowe	Wheat
Rangel	Stark	Whitten
Reed	Stokes	Williams
Reynolds	Strickland	Wilson
Richardson	Studds	Wise
Ridge	Swett	Woolsey
Rose	Swift	Wyden
Rostenkowski	Synar	Wynn
Roukema	Tanner	Yates
Rowland	Thomas (CA)	Zeliff
Roybal-Allard	Thornton	Zimmer
Rush	Thurman	

## NAYS—157

Allard	Grams	Paxon
Applegate	Hall (OH)	Penny
Archer	Hall (TX)	Peterson (MN)
Armey	Hancock	Petri
Bachus (AL)	Hansen	Pombo
Baker (CA)	Hastert	Poshard
Baker (LA)	Hayes	Quinn
Ballenger	Hefley	Rahall
Barrett (NE)	Herger	Ravenel
Bartlett	Hoekstra	Regula
Barton	Hutchinson	Roberts
Bateman	Hutto	Roemer
Bentley	Hyde	Rogers
Bereuter	Inglis	Rohrabacher
Bilirakis	Inhofe	Ros-Lehtinen
Bliley	Istook	Roth
Blute	Johnson, Sam	Royce
Boehner	Kanjorski	Sangmeister
Borski	Kasich	Santorium
Browder	Kildee	Sarpalius
Bunning	King	Saxton
Burton	Kingston	Schaefer
Buyer	Klink	Sensenbrenner
Callahan	Knollenberg	Shaw
Calvert	Kyl	Shuster
Camp	LaFalce	Skeen
Canady	Lewis (CA)	Skelton
Coble	Lewis (FL)	Smith (MI)
Collins (GA)	Lightfoot	Smith (NJ)
Combest	Linder	Smith (OR)
Costello	Lipinski	Smith (TX)
Cox	Livingston	Solomon
Crane	Manton	Spence
Crapo	Manzullo	Stearns
Cunningham	Mazzoli	Stenholm
de la Garza	McCandless	Stump
DeLay	McCollum	Stupak
Diaz-Balart	McCrery	Sundquist
Dickey	McDade	Tauzin
Doolittle	McKeon	Taylor (MS)
Dornan	McNulty	Taylor (NC)
Duncan	Mica	Tejeda
Emerson	Michel	Thomas (WY)
Everett	Mollohan	Volkmer
Ewing	Moorhead	Vucanovich
Fields (TX)	Murtha	Walker
Fish	Myers	Walsh
Gallegly	Nussle	Weldon
Gillmor	Oberstar	Wolf
Gingrich	Ortiz	Young (AK)
Goodlatte	Orton	Young (FL)
Goodling	Oxley	
Goss	Packard	

## NOT VOTING—14

Barcia	Holden	Quillen
Darden	Hunter	Sharp
Dreier	Markey	Spratt
Ford (TN)	Miller (CA)	Talent
Henry	Pickle	

So the amendment was agreed to.

The question being put, viva voce,

Will the House agree to the following amendment, as amended, on which a separate vote had been demanded?

Page 4, after line 3, insert the following subsection:

(c) INFORMATION ON CONDOMS.—Section 1001 of the Public Health Service Act, as amended by subsection (a) of this section, is amended by inserting after subsection (b) the following subsection:

“(c) The Secretary may not make an award of a grant or contract under this section unless the applicant for the award agrees that the family planning project involved will—

“(1) distribute only those condoms meeting current requirements for quality control and labeling, and any subsequently developed standards, established by the Food and Drug Administration for the prevention of pregnancy and the prevention of the transmission of sexually transmitted diseases; and

“(2) advise individuals of the benefits of the proper use of condoms, of the extent of risk that still exist with condom usage, and of the fact that condoms currently available do not completely eliminate the risk of pregnancy or the transmission of sexually transmitted diseases.”.

Page 2, strike lines 9 and 10 and insert the following:

(1) by redesignating subsections (b) through (d) as subsections (d) through (f), respectively; and

Page 4, line 4, strike “(c)” and insert “(d)”.

Page 4, line 5, strike “1001(e)” and insert “1001(f)”.

Page 4, line 8, striking “(e)” and insert “(f)”.

The SPEAKER pro tempore, Mr. PICKETT, announced that the yeas had it.

Mr. BLILEY demanded a recorded vote on agreeing to the amendment, as amended, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 417  
affirmative ..... Nays ..... 0

## 32.11

## [Roll No. 105]

## AYES—417

Abercrombie	Brown (CA)	DeFazio
Ackerman	Brown (FL)	DeLauro
Allard	Brown (OH)	DeLay
Andrews (ME)	Bryant	Dellums
Andrews (NJ)	Bunning	Derrick
Andrews (TX)	Burton	Deutsch
Applegate	Buyer	Diaz-Balart
Armer	Byrne	Dickey
Bacchus (FL)	Callahan	Dicks
Bacchus (AL)	Calvert	Dingell
Baessler	Camp	Dixon
Baker (CA)	Canady	Dooley
Baker (LA)	Cantwell	Doolittle
Ballenger	Cardin	Dornan
Barcia	Carr	Duncan
Barlow	Castle	Dunn
Barrett (NE)	Chapman	Durbin
Barrett (WI)	Clay	Edwards (TX)
Bartlett	Clayton	Emerson
Barton	Clement	Engel
Bateman	Clinger	English (AZ)
Becerra	Clyburn	English (OK)
Beilenson	Coble	Eshoo
Bentley	Coleman	Evans
Bereuter	Collins (GA)	Everett
Berman	Collins (IL)	Ewing
Bevill	Collins (MI)	Fawell
Bilbray	Combest	Fazio
Bilirakis	Condit	Fields (LA)
Bishop	Conyers	Fields (TX)
Blackwell	Cooper	Filner
Bliley	Coppersmith	Fingerhut
Blute	Costello	Fish
Boehlert	Cox	Flake
Boehner	Coyne	Foglietta
Bonilla	Cramer	Ford (MI)
Bonior	Crane	Fowler
Borski	Crapo	Frank (MA)
Boucher	Cunningham	Franks (CT)
Brewster	Danner	Franks (NJ)
Brooks	Darden	Frost
Browder	de la Garza	Furse
	Deal	Gallegly

Gallo	Long	Roth
Gejdenson	Lowey	Roukema
Gekas	Machtley	Rowland
Gephardt	Maloney	Roybal-Allard
Geren	Mann	Royce
Gibbons	Manton	Rush
Gilchrist	Manzullo	Sabo
Gillmor	Margolies-	Sanders
Gilman	Mezvinsky	Sangmeister
Gingrich	Markey	Santorium
Glickman	Martinez	Sarpalius
Gonzalez	Matsui	Sawyer
Goodlatte	Mazzoli	Saxton
Goodling	McCandless	Schaefer
Gordon	McCloskey	Schenk
Goss	McCollum	Schiff
Grams	McCrery	Schroeder
Grandy	McCurdy	Schumer
Green	McDade	Scott
Greenwood	McDermott	Sensenbrenner
Gunderson	McHale	Serrano
Gutierrez	McHugh	Shaw
Hall (TX)	McInnis	Shays
Hamburg	McKeon	Shuster
Hamilton	McKinney	Sisisky
Hancock	McMillan	Skaggs
Hansen	McNulty	Skeen
Harman	Meehan	Skelton
Hastert	Meek	Slattery
Hastings	Menendez	Slaughter
Hayes	Meyers	Smith (IA)
Hefley	Mfume	Smith (MI)
Hefner	Mica	Smith (NJ)
Herger	Michel	Smith (OR)
Hilliard	Miller (CA)	Smith (TX)
Hinchey	Miller (FL)	Snowe
Hoagland	Mineta	Solomon
Hobson	Minge	Spence
Hochbrueckner	Mink	Spratt
Hoekstra	Moakley	Stark
Hoke	Molinari	Stearns
Holden	Mollohan	Stenholm
Horn	Montgomery	Stokes
Houghton	Moorhead	Strickland
Hoyer	Moran	Studds
Huffington	Morella	Stump
Hughes	Murphy	Stupak
Hutchinson	Murtha	Sundquist
Hutto	Myers	Swett
Hyde	Nadler	Swift
Inglis	Natcher	Synar
Inhofe	Neal (MA)	Tanner
Inslee	Neal (NC)	Tauzin
Istook	Nussle	Taylor (MS)
Jacobs	Oberstar	Taylor (NC)
Jefferson	Obey	Tejeda
Johnson (CT)	Oliver	Thomas (CA)
Johnson (GA)	Ortiz	Thomas (WY)
Johnson (SD)	Orton	Thornton
Johnson, E. B.	Owens	Thurman
Johnson, Sam	Oxley	Torkildsen
Johnston	Packard	Torricelli
Kanjorski	Pallone	Oxley
Kasich	Parker	Traficant
Kennedy	Pastor	Tucker
Kennelly	Paxon	Unsoeld
Kildee	Payne (NJ)	Upton
Kim	Payne (VA)	Valkmer
King	Pelosi	Valentine
Kingston	Penny	Velazquez
Klecka	Peterson (FL)	Vento
Klein	Peterson (MN)	Visclosky
Klink	Petri	Volkmer
Klug	Pickett	Vucanovich
Knollenberg	Pombo	Walker
Kolbe	Pomeroy	Walsh
Kopetski	Porter	Washington
Kreidler	Poshard	Waters
Kyl	Price (NC)	Watt
LaFalce	Pryce (OH)	Waxman
Lambert	Rangel	Weldon
Lancaster	Ravenel	Wheat
Lantos	Reed	Whitten
Laughlin	Regula	Williams
Lazio	Reynolds	Wilson
Leach	Richardson	Wise
Lehman	Ridge	Wolf
Levin	Roberts	Woolsey
Levy	Roemer	Wyden
Lewis (CA)	Rogers	Wynn
Lewis (FL)	Rohrabacher	Yates
Lewis (GA)	Ros-Lehtinen	Young (AK)
Lightfoot	Rose	Young (FL)
Linder	Rostenkowski	Zeliff
Lipinski		Zimmer
Livingston		
Lloyd		

## NOT VOTING—13

Dreier  
Edwards (CA)  
Ford (TN)  
Hall (OH)  
Henry

Hunter  
Kaptur  
LaRocco  
Pickle  
Quillen

Sharp  
Shepherd  
Talent

So the amendment, as amended, was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. BLILEY moved to recommit the bill to the Committee on Energy and Commerce with instructions to report the bill back to the House forthwith with the following amendment:

Page 3, strike line 12 and all that follows through page 4, line 3, and insert the following:

(b) PARENTAL NOTIFICATION REGARDING ABORTION.—Section 1001 of the Public Health Service Act, as amended by subsection (a) of this section, is amended by inserting after subsection (b) the following subsection:

“(c)(1) The Secretary may not make an award of a grant or contract under this section unless the entity applying for the award agrees that the entity will not perform an abortion on an unemancipated minor under the age of 18, and will not permit the facilities of the entity to be used to perform any abortion on such a minor, without regard to whether the abortion is to be performed with a grant or contract provided by the Secretary, unless there has been compliance with one of the following:

“(A)(i) A written notification is provided to a parent or legal guardian of the minor stating that an abortion has been requested for the minor, and 48 hours elapses after the notification is so provided; and

“(ii) the notification is either (I) delivered personally by the attending physician or the physician's agent, in which case the 48 hours is measured from the time of so delivering the notification, or (II) the notification is provided through certified mail, with return receipt requested, and with restricted delivery addressed to a parent or legal guardian at the dwelling house or usual place of abode of the parent or guardian, in which case the 48 hours is measured from 12 o'clock noon on the second day of regular mail delivery that follows the day on which the notification is posted.

“(B) The attending physician certifies in the minor's medical record that she is suffering from a physical disorder or disease making the abortion necessary to prevent her death, and that there is insufficient time to provide a notification in accordance with subparagraph (A).

“(C)(i) The minor declares that the pregnancy resulted from incest with a parent or legal guardian of the minor, or that she has been subjected to or is at risk of sexual abuse, child abuse, or child neglect by a parent or legal guardian of the minor; and

“(ii) the attending physician notifies, in writing, the authorities specified by the law of the State involved to receive reports or allegations regarding the applicable offense specified in clause (i).

“(D) The entity complies with a State or local law that—

“(i) is in effect in the State or locality, respectively;

“(ii) provides the requirement that a parent or legal guardian be notified before an abortion is performed on an unemancipated minor under the age of 18 (or a requirement that both parents be so notified), or provides the requirement that a parent or legal guardian give consent before an abortion is performed on such a minor (or a requirement that both parents give such consent); and

“(iii) either contains no provision waiving a requirement described in clause (ii), or pro-

vides a waiver of the requirement only for one or more of the following circumstances:

“(I) A court determines that the requirement should be waived.

“(II) A physician determines that the minor is suffering from a physical disorder or disease that makes the abortion necessary to prevent her death, and that there is insufficient time to comply with the requirement.

“(III) The pregnancy resulted from incest.

“(IV) The minor has been subjected to or is at risk of sexual abuse by a parent or legal guardian.

“(V) The minor has been subjected to or is at risk of child abuse by a parent or legal guardian.

“(VI) The minor has been subjected to or is at risk of child neglect by a parent or legal guardian.

“(2) For purposes of this subsection:

“(A) The term ‘attending physician’ means the physician with the principal responsibility for making the decision to perform the abortion involved.

“(B) Each of the following terms has the meaning given the term under the law of the State involved: (i) ‘Child abuse’. (ii) ‘Child neglect’. (iii) ‘Incest’. (iv) ‘Legal guardian’ (with respect to a child). (v) ‘Sexual abuse’. (vi) ‘Unemancipated minor’.

“(C) Each of the following terms has the meaning given the term under rule 4 of the Federal rules of civil procedure for the United States district courts: (i) ‘Dwelling house’. (ii) ‘Usual place of abode’.

“(D) The term ‘State involved’ means the State of the location of the facility from which an abortion for the minor involved is sought.”.

Page 2, strike lines 9 and 10 and insert the following:

(1) by redesignating subsections (b) through (d) as subsections (d) through (f), respectively; and

Page 4, line 5, strike “1001(e)” and insert “1001(f)”.

Page 4, line 8, strike “(e)” and insert “(f)”.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. PICKETT, announced that the yeas had it.

Mr. BLILEY demanded a recorded vote on agreeing to the motion to recommit said bill with instructions, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 179  
negative ..... } Nays ..... 243

¶32.12

[Roll No. 106]

AYES—179

Allard	Blute	Crane
Applegate	Boehner	Crapo
Archer	Bonilla	Cunningham
Armey	Bunning	de la Garza
Bachus (AL)	Burton	DeLay
Baker (CA)	Buyer	Diaz-Balart
Baker (LA)	Callahan	Dickey
Ballenger	Calvert	Doolittle
Barcia	Camp	Dornan
Barrett (NE)	Canady	Duncan
Bartlett	Castle	Dunn
Barton	Clinger	Emerson
Bateman	Coble	English (OK)
Bentley	Collins (GA)	Everett
Bereuter	Combest	Ewing
Bilirakis	Costello	Fawell
Bliley	Cox	Fields (TX)

Fish  
Flake  
Franks (CT)  
Franks (NJ)  
Gallegly  
Gallo  
Geren  
Gilchrest  
Gillmor  
Gingrich  
Goodlatte  
Goodling  
Goss  
Grams  
Grandy  
Gunderson  
Hall (OH)  
Hall (TX)  
Hamilton  
Hancock  
Hansen  
Hastert  
Hayes  
Hefley  
Herger  
Hoekstra  
Holden  
Hunter  
Hutchinson  
Hutto  
Hyde  
Ingalls  
Inhofe  
Istook  
Johnson, Sam  
Kanjorski  
Kasich  
Kildee  
Kim  
King  
Kingston  
Klink  
Knollenberg

Kyl  
LaFalce  
Lazio  
Levy  
Lewis (CA)  
Lewis (FL)  
Lightfoot  
Linder  
Lipinski  
Livingston  
Manton  
Manzullo  
Mazzoli  
McCandless  
McCollum  
McCrery  
McDade  
McHugh  
McKeon  
McMillan  
McNulty  
Mica  
Michel  
Mollohan  
Montgomery  
Moorhead  
Murphy  
Myers  
Nussle  
Oberstar  
Ortiz  
Orton  
Oxley  
Packard  
Parker  
Paxon  
Penny  
Peterson (MN)  
Petri  
Pombo  
Poshard  
Quinn  
Rahall

## NOES—243

Abercrombie	Dixon	Kennelly
Ackerman	Dooley	Klecza
Andrews (ME)	Durbin	Klein
Andrews (NJ)	Edwards (CA)	Klug
Andrews (TX)	Edwards (TX)	Kolbe
Bacchus (FL)	Engel	Kopetski
Baessler	English (AZ)	Kreidler
Barlow	Eshoo	Lambert
Barrett (WI)	Evans	Lancaster
Becerra	Fazio	Lantos
Beilenson	Fields (LA)	LaRocco
Berman	Filner	Laughlin
Bevill	Fingerhut	Leach
Bilbray	Foglietta	Lehman
Bishop	Ford (MI)	Levin
Blackwell	Fowler	Lewis (GA)
Boehlert	Frank (MA)	Lloyd
Bonior	Frost	Long
Borski	Furse	Lowe
Boucher	Gejdenson	Machtley
Brewster	Gekas	Maloney
Brooks	Gephardt	Mann
Browder	Gibbons	Margolies-
Brown (CA)	Gilman	Mezvinsky
Brown (FL)	Glickman	Markey
Brown (OH)	Gonzalez	Martinez
Bryant	Gordon	Matsui
Byrne	Green	McCloskey
Cantwell	Greenwood	McCurdy
Cardin	Gutierrez	McDermott
Carr	Hamburg	McHale
Chapman	Harman	McInnis
Clay	Hastings	McKinney
Clayton	Hefner	Meehan
Clement	Hilliard	Meek
Clyburn	Hinchey	Menendez
Coleman	Hoagland	Meyers
Collins (IL)	Hobson	Mfume
Collins (MI)	Hochbrueckner	Miller (CA)
Condit	Hoke	Miller (FL)
Conyers	Horn	Mineta
Cooper	Houghton	Minge
Coppersmith	Hoyer	Mink
Coyne	Huffington	Moakley
Cramer	Hughes	Molinari
Danner	Inslee	Moran
Darden	Jacobs	Morella
Deal	Jefferson	Murtha
DeFazio	Johnson (CT)	Nadler
DeLauro	Johnson (GA)	Natcher
Dellums	Johnson (SD)	Neal (MA)
Derrick	Johnson, E.B.	Neal (NC)
Deutsch	Johnston	Obey
Dicks	Kaptur	Olver
Dingell	Kennedy	Owens